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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/733,414

12/12/2003

Caitlyn Curtin

3681-000001/US

9098

30593

7590

04/08/2008

HARNESSE, DICKEY & PIERCE, P.L.C.

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EXAMINER

GRAVINI, STEPHEN MICHAEL

ART UNIT

PAPER NUMBER

3749

MAIL DATE

DELIVERY MODE

04/08/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10733414	12/12/2003	CURTIN, CAITLYN	3681-000001/US

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**EXAMINER**

Stephen Gravini

ART UNIT	PAPER
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3749	20080401
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**Commissioner for Patents**

Appellant's reply brief is noted. Arguments with respect to narrowing the claims to exclude specification limitations reciting "or the like" is further support that examination was based on broadly and reasonably consistent with the specification. The means structure claimed and argued is anticipated by the prior art reference Jones because includes means with encompasses "or the like." Appellant further argues that claimed movement means, control means, securing means, and muffling/muffler means should incorporated only certain specification examples. Because the specific examples argued are not claimed, examination is based on means plus function Office practice discussed in the most recent answer. Those claimed and argued means are construed to be anticipated and/or obviated by the prior art because patentability is determined on the claim language, not incorporated specification discussions which exclude the prior art teachings. Examination interpretations are reasonable because the claims are construed reasonably and broadly, in light of the accompanying specification by including all specification discussions, not just those that would overcome the prior art. The rejections are proper and should be affirmed.

/Stephen Gravini/  
Primary Examiner, Art Unit 3749